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PATENT

Attorney Docket No. 4189.0079-04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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GROUP 1800

In re Application of: )  
Rudolf HAUPTMANN et al. )  
Serial No. 08/484,312 )  
Filed: June 7, 1995 )  
For: TNF RECEPTORS, TNF BINDING )  
PROTEINS AND DNAS CODING )  
FOR THEM )

Group Art Unit: 1812  
Examiner: G. Draper

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), please charge the fee of \$230.00 as specified by § 1.17(p) to our Deposit Account No. 06-0916.

Copies of the listed documents have been filed or have been cited by the Examiner in parent application Serial No. 08/383,676 (the '676 application). Applicants claim the benefit of that application under 35 U.S.C. § 120 in this application.

German Publication No. DE 3910323 A1 is not in English. That document claims the same priority application as Great Britain Publication No. 2218101, which is already of record. European Publication No. 0417563 A2 is not in English. That document claims the same priority applications as United States Patent No. 5,610,279, a copy of

Serial No. 08/484,312 *me*

which was filed in the '676 application. PCT Publication No. WO 90/13575 is not in English. That document claims the same priority application as United States Patent No. 5,344,915, a copy of which was filed in the '676 application. Applicants filed in the '676 application English translations of the following documents: DE 3913101.7; DE 3920282.8; and EP 393438.

Applicants also bring to the attention of the Examiner the following copending United States Patent Applications:

✓ 08/375,242	filed	1/19/95	<i>me</i>
✓ 08/484,337	filed	6/7/95	<i>me</i>
08/485,439	filed	6/7/95	<i>S. Tippet ??</i> (abandoned and petition to revive has been filed)
08/383,676	filed	2/1/95	<i>K. Carlson</i>
✓ 08/484,307	filed	6/7/95	<i>me</i>
✓ 08/477,638	filed	6/7/95	<i>me</i>
07/477,639	filed	6/7/95	<i>... before = 1/1/97 - call on it</i>
08/319,506 <i>Thompson</i>	filed	10/6/94	<i>Lori PG Gof int</i>
08/482,283 <i>Thompson</i>	filed	6/7/95	<i>- claim 1 " "</i>
08/484,783 <i>Kohnd</i>	filed	6/7/95	<i>- claim " "</i>
08/482,284	filed	6/7/95	<i>- D. Ware 1808 Pay</i>
08/485,441	filed	6/7/95	<i>- Lilling 1806 Pay</i>
08/410,937	filed	3/27/95	<i>- Lori Pay</i>
08/259,413	filed	6/14/94	<i>- Lilling Pay</i>
08/116,260	filed	9/2/93	<i>- K. Carlson was</i>

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202-408-4000

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.


This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
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Registration No. 32,013

Date: August 8, 1997